

## Intergovernmental Personnel Act Mobility Program

**Purpose:** Assignments to or from state and local governments, institutions of higher education, Indian tribal governments and other eligible organizations are intended to facilitate cooperation between the Federal government and the non-Federal entity through the temporary assignment of skilled personnel. The authority is 5 USC sections 3371 through 3375; the regulation is 5 CFR Chapter 334. NASA guidance is the IPA Desk Guide at [https://searchpub.nssc.nasa.gov/servlet/sm.web.Fetch/SREF-3000-0038\\_IPA\\_DG\\_V3-Final.pdf?rhid=1000&did=932148&type=released](https://searchpub.nssc.nasa.gov/servlet/sm.web.Fetch/SREF-3000-0038_IPA_DG_V3-Final.pdf?rhid=1000&did=932148&type=released)

**Time Period:** Initial IPA assignments may be made up to 2 years, which may be extended up to a total of 6 years. Employees are limited to no more than 6 years on IPA assignments. Assignments may be made on a full-time, part-time, or intermittent basis.

**Funding:** NASA and the non-Federal entity must determine the percentage of costs which each organization will pay. NASA can pay 0 to 100% of allowable costs. Allowable costs include salary, benefits, travel, and indirect costs. NASA expects that the non-Federal entity will pay at least 10% of the total cost of the assignment. Total cost includes salary and fringe benefits. If there is less than a 10% cost share, the non-Federal entity must provide a written justification that must be accepted by NASA and should be kept as part of the Assignment Agreement. A Cost Sharing Agreement (Cost Data Sheet) must be attached to the IPA package (see Parts 3.6.1, 7.1, 7.2 and Appendix G of the Desk Guide and Part 9 of the OF 69).

**Responsibility:** The Office of Human Capital Management has overall responsibility for the program, and is delegated approval authority by the Center Director.

**Scope:** Each assignment should be made for purposes which the Federal agency head, or his or her designee, determines are of mutual concern and benefit to the Federal agency and to the non-Federal organization. Each proposed assignment should be carefully examined to ensure that it is for sound public purposes and furthers the goals and objectives of the participating organizations. Assignments arranged to meet the personal interest of employees, to circumvent personnel ceilings, or to avoid unpleasant personnel decisions are contrary to the spirit and intent of the mobility assignment program. At the end of the mobility assignment, the Federal employee is expected to return to his/her original employment with NASA. The IPA agreement includes an obligated service requirement: the participant must agree to serve in the Civil Service upon the completion of the IPA assignment equal to the period of the assignment. Should the employee fail to serve the required time, he/she may be liable to the United States for all expenses of the assignment (except salary).

**Goal:** To facilitate the movement of employees for short periods of time when this movement serves a sound public purpose. Mobility assignments may be used to achieve objectives such as:

- Strengthening the management capabilities of Federal agencies, State, local and Indian tribal governments, and other eligible organizations;

- Assisting the transfer and use of new technologies and approaches to solving governmental problems;
- Facilitating an effective means of involving state and local officials in developing and implementing Federal policies and programs; and,
- Providing program and developmental experience which will enhance the assignee's performance in his or her job.

### **Coverage:**

**Federal Employees:** NASA employees serving on career or career-conditional appointments, excepted service appointments in tenure groups I and II without time limitation, and career SES appointments are eligible to participate under the IPA. Employees serving under temporary, term, or other time limited appointments are not eligible.

**Non-Federal Employees:** Career employees of non-Federal entities are eligible to participate under the IPA provided that they have been with the entity for at least 90 days. If an employee changes from one non-Federal entity to another, he/she does not have to begin a new 90 day period provided that both organizations are eligible to participate under the IPA. Students employed at institutions of higher education in research, graduate, or teaching assistant positions are not eligible to participate. Elected officials of state and local governments are not eligible to participate.

**Non-citizens:** Because IPA assignments to NASA are made either by an excepted appointment or by detail, restrictions on the appointment of non-citizens in the competitive service do not apply to these assignments. Under 42 USC 2473, NASA has been given the authority to employ and pay non-citizens without regard to the usual restrictions which other agencies have concerning paying non-citizens. Center Directors have been delegated authority to approve IPA assignments of non-U.S. citizens. In order to be employed, aliens must be lawfully admitted to the United States. An alien who has been admitted for permanent residence is permitted to be employed in the United States, so if the alien has a valid green card, he/she may be employed by NASA without obtaining another type of visa. If an alien has not been admitted for permanent residence, he/she will have been admitted on one of a number of temporary visas. The most appropriate visa for IPA assignments is the J-1 visa. This visa is for exchange visitors, and it can cover professors, research scholars, and other specialists who may be learning, observing, consulting or sharing their knowledges and skills. If an alien has a valid J-1 visa, he/she can be assigned to NASA under the IPA.

### **Documentation:**

The assignment is processed as a detail and the documentation required is the OF69, Assignment Agreement. The requesting OUM signs a cover memo and coordinates the package with OHCM, OCFO, OCC, APPO, and the Associate Director. The package is initially sent to the IPA Coordinator who reviews the IPA to ensure procedures have been followed (funding mechanisms established, requirements met and documented, etc.), monitor the approval process, and mail copies of the approved IPA to all parties, including NASA HQ.

## **ASSIGNMENTS TO NASA**

An IPA assignee to LaRC is usually considered to be on a Detail to NASA. IPA assignees may be assigned supervisory or non-supervisory responsibilities.

### **Nature of Detail**

The assignee continues to be an employee of the organization from which he/she is detailed. He/she is not an employee of LaRC and does not count against the Center's full time equivalent ceiling. The detail is typically to an unclassified set of duties.

### **Processing the Detail**

The IPA agreement serves to document the action. No personnel action request is processed.

### **Pay**

The assignee continues to be paid by the non-Federal entity. If LaRC is funding a percentage or all of the salary, the payment goes directly to the entity – no money may be exchanged between LaRC and the assignee. Sometimes in addition to salary, the assignee earns consulting fees and other income that he/she will have to give up in order to accept the IPA assignment. LaRC may reimburse for these consulting fees and other income if it is negotiated and agreed upon in the agreement.

### **Awards**

NASA may grant non-monetary awards to assignees on detail, but monetary awards may not be granted in connection with their assignment to NASA. Centers may work with the non-Federal entity if an award is appropriate. The non-Federal entity could grant the award under its procedures, and the Center could reimburse the cost. NASA may not grant time off awards to IPA assignees.

### **Work Weeks, Leave, and Overtime**

Generally assignees on detail work the same work weeks and schedules as the LaRC organization to which they are assigned. They are excused for Federal holidays, and they should also be excused for any state holiday, which the non-Federal entity observes. The IPA assignees earn leave in accordance with the non-Federal entity's leave system.

#### **Benefits**

Assignees on detail continue to earn benefits under the programs of the non-Federal entity. NASA may reimburse the entity for the employer's share of contributions to various programs, such as insurance and retirement.

### **Conduct and Performance Actions**

If a conduct or performance problem emerges, LaRC has the option of terminating the IPA agreement and returning the individual to the non-Federal entity.

## **ASSIGNMENTS FROM NASA**

An employee serving on an IPA assignment to a non-Federal entity is considered to be on a Detail to the non-Federal entity.

To participate in the IPA program, employees must be in one of the following categories:

- a. Career or career-conditional appointment;
- b. Excepted service appointments in tenure groups 1 or 2 without time limitation; or
- c. Career SES appointment

### **Nature of Detail**

An employee on detail to a non-Federal entity continues to occupy his/her LaRC position. He/she counts against LaRC's full-time equivalent ceiling.

### **Processing the Detail**

The IPA agreement serves to document the action. An SF-52 must be submitted by the losing organization to their servicing HR Specialist in order to document the "Detail" in the Federal Personnel and Payroll System.

### **Pay**

An employee on detail continues to receive the pay for his/her position from LaRC, which can be reimbursed by the non-Federal entity. If the non-Federal entity does agree to reimburse LaRC for a percentage (or all) of the costs, then the employee must coordinate with OCFO to establish a reimbursable account. The employee should request an Estimated Price Report (LF240, web based form) from APPO.

### **Performance Ratings**

Employees on detail continue to be rated under the NASA performance appraisal system. The non-Federal supervisor provides information concerning the employee's performance, and the NASA supervisor issues the actual rating.

### **Within Grade Increase (WIG) and Quality Step Increase (QSI)**

NASA employees are entitled to receive within grade increases if their performance is at an acceptable level. A within grade increase may be granted even if an actual performance rating cannot be done because the non-Federal entity did not prepare elements and standards. A QSI may be granted if supported by the required documentation such as an official performance rating issued by a NASA supervisor.

### **Awards**

NASA can give employees monetary or non-monetary incentive awards related to their mobility assignments. The justification for the award should demonstrate how the work on the assignment relates to NASA's mission. The non-Federal entity may give an employee an award with NASA's concurrence. This award should be documented in the employee's official personnel folder.

### **Promotions**

NASA employees on detail are eligible for a promotion while on their IPA assignment.

**Work Weeks, Leave and Overtime**

Employees on detail may earn and use all forms of leave just as they would normally do. If the non-Federal entity's work week is less than NASA's work week, the employee should still be shown as working 40 hours. Employees are entitled to all Federal holidays. If they are not excused from work on a Federal holiday, then they are entitled to holiday premium pay. Employees may be excused from work on non-Federal holidays celebrated by the non-Federal entity. This should be shown as excused absence. If they are not excused from work, they are not entitled to premium pay.

**Benefits**

There is no change in benefits for an employee who is on detail. His/her contributions for retirement, TSP, and health and life insurance continue to be deducted from the salary, and NASA continues to pay its share.

**Conduct and Performance Actions**

If an employee commits serious misconduct while on an IPA assignment, LaRC can take disciplinary action up to and including removal. If a performance problem emerges, the simplest course of action would be to terminate the IPA agreement and set up performance standards for the employee back at LaRC.

**Standards of Conduct**

NASA employees on an IPA assignment are subject to the Hatch Act and all other Federal and NASA Standards of Conduct regulations.

**Return to NASA**Obligated Service

NASA employees going on IPA assignments must agree to remain in the Federal government for a period of time equal to the length of the IPA assignment. If they do not, they must reimburse NASA for the cost of the assignment excluding the cost of salary and benefits. Centers may waive the repayment requirement if the employee's failure to complete the service is beyond his/her control or the waiver is justified in the judgment of the approving official.

Position to Which Returned

Normally an employee is returned to his/her regular position. However, there is nothing, which prevents NASA from placing the employee in another position by reassignment.

Reduction in Force

When an employee returns from an IPA assignment, he/she is not protected from any RIF which might be in effect. While the employee is on the IPA assignment, NASA has the option of using an exception to the normal retention order to permit the employee to complete the IPA assignment.